FORM 5

UNITED STATES COURT OF INTERNATIONAL TRADE

INFORMATION STATEMENT

THIS INDEX NUMBER MUST BE SHOWN ON ALL PAPERS FILED WITH THE COURT

08-00442

(*Place an "X" in applicable [ ]*)

PLAINTIFF:
Margaritelli USA Inc.

ATTORNEY (*Name, Address, Telephone No.*):
Herbert J. Lynch, Esq.
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56 Roland Street
Boston, MA 02129-1223
(617) 591-8787

PRECEDENCE

If the action is to be given precedence under Rule 3(g), indicate the applicable paragraph of that section:

[ ] (1) [ ] (3) [ ] (5)
[ ] (2) [ ] (4) [ ] (6)

CONSTITUTIONAL ISSUE - 28 U.S.C. § 255

If this action raises an issue of the constitutionality of an Act of Congress, a proclamation of the President or an Executive order, check this box: [ ]

J U R I S D I C T I O N

28 U.S.C. § 1581(a) - Tariff Act of 1930, Section 515 - 19 U.S.C. § 1515

[ ] Appraisal [X] Classification [ ] Charges or Exactions [ ] Vessel Repairs
[ ] Exclusion [ ] Liquidation [ ] Drawback
[ ] Refusal to Reliquidate [ ] Rate of Duty [ ] Redelivery

28 U.S.C. § 1581(b) - Tariff Act of 1930, Section 516 - 19 U.S.C. § 1516

[ ] Appraisal [ ] Classification [ ] Rate of Duty

28 U.S.C. § 1581(c) - Tariff Act of 1930, Section 516A(a)(1), (a)(2) or (a)(3) - 19 U.S.C. §1516a (*Provide a brief description of the administrative determination you are contesting, including the relevant **Federal Register** citation(s) and the product(s) involved in the determination. For Section 516A(a)(1) or (a)(2), cite the specific subparagraph and clause of the section.*)

Subparagraph and Clause _____ Agency _____

Federal Register Cite(s) _____

Product(s)

28 U.S.C. § 1581(d) - Trade Act of 1974 - 19 U.S.C. §§ 2273, 2341, 2401b

[ ] U.S. Secretary of Labor [ ] U.S. Secretary of Commerce [ ] U.S. Secretary of Agriculture

28 U.S.C. § 1581(e) - Trade Agreements Act of 1979, Section 305(b)(1) - 19 U.S.C. § 2515
(*Provide a brief statement of the final determination to be reviewed.*)

28 U.S.C. § 1581(f) - Tariff Act of 1930, Section 777(c)(2) - 19 U.S.C. § 1677f(c)(2)

Agency: [ ] U.S. International Trade Commission [ ] Administering Authority

28 U.S.C. § 1581(g) - Tariff Act of 1930, Section 641 - 19 U.S.C. § 1641 - or Section 499 - 19 U.S.C. § 1499

[ ] Sec. 641(b)(2) [ ] Sec. 641(b)(3) [ ] Sec. 641(c)(1) [ ] Sec. 641(b)(5)
[ ] Sec. 641(c)(2) [ ] Sec. 641(d)(2)(B) [ ] Sec. 499(b)

(Continued on reverse side)

JURISDICTION
(Continued)

28 U.S.C. § 1581(h) - Ruling relating to:

[ ] Classification [ ] Valuation [ ] Restricted Merchandise
[ ] Rate of Duty [ ] Marking [ ] Entry Requirements
[ ] Drawbacks [ ] Vessel Repairs [ ] Other: _____

28 U.S.C. § 1581(i) - *(Cite any applicable statute and provide a brief statement describing jurisdictional basis.)*

28 U.S.C. § 1582 - Actions Commenced by the United States

[ ] (1) Recover civil penalty under Tariff Act of 1930:
[ ] Sec. 592 [ ] Sec. 593A [ ] Sec. 641(b)(6)
[ ] Sec. 641(d)(2)(A) [ ] Sec. 704(i)(2) [ ] Sec. 734(i)(2)
[ ] (2) Recover upon a bond
[ ] (3) Recover customs duties

RELATED CASE(S)

To your knowledge, does this action involve a common question of law or fact with any other action(s) previously decided or now pending? Yes.

	PLAINTIFF	COURT NUMBER	JUDGE
[ ] Decided:			
[X] Pending:	Margaritelli USA Inc.	08/00209	unassigned Reserve Calendar

(Attach additional sheets, if necessary.)

(As amended, eff. Jan. 1, 1985; Jan. 25, 2000, eff. May 1, 2000; May 25, 2004, eff. Sept. 1, 2004; Nov. 29, 2005, eff. Jan. 1, 2006; Nov. 28, 2006, eff. Jan. 1, 2007.)

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U.S. COURT OF
INTERNATIONAL TRADE
OFFICE OF THE CLERK

IN ACCORDANCE WITH THE PROVISION
OF RULE 5(e). THIS PAPER IS DEEMED
FILED AS OF THE DATE OF MAILING
TO WIT 12/24/08